

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date: 3-31-06 Name: Richard G. Lione, Reg. No. 19,795 Signature: Richard G. Lione



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: **David G. Quinn**

Appln. No.: **10/529,646** ✓

**BRINKS  
HOFFER  
GILSON  
& LIONE**

Examiner: Not Assigned

Art Unit: Not Assigned

Filed: **March 31, 2005**

For: **CATHETER**

Attorney Docket No: **5935/117**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Transmittal (in Duplicate); Information Disclosure Statement; Form PTO-1449; and a Copy of Each Listed Reference for Which a Copy is Required.
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity		
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus				x \$25=			x \$50=	
Indep.		Minus				x 100=			x \$200=	
First Presentation of Multiple Dep. Claim						+\$180=			+ \$360=	
						Total	\$		Total	\$

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

MAR. 31, 2006  
Date

Respectfully submitted,

Richard G. Lione  
Richard G. Lione (Reg. No. 19,795)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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### INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

#### U.S. PATENT DOCUMENTS

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME
1,879,249	09/27/1932	Honsaker
2,116,083	05/03/1938	Rüsch
3,384,089	05/21/1968	Shriner
3,547,126	12/15/1970	Birtwell
3,812,860	05/28/1974	Gilbert et al.
4,356,824	11/02/1982	Vazquez
4,419,094	12/06/1983	Patel
4,431,426	02/14/1984	Groshong et al.
4,490,143	12/25/1984	Quinn et al.
4,496,347	01/29/1985	MacLean et al.
4,529,399	07/16/1985	Groshong et al.
4,543,089	09/24/1985	Moss
4,549,879	10/29/1985	Groshong et al.
4,559,046	12/17/1985	Groshong et al.
4,568,329	02/04/1986	Mahurkar
4,576,603	03/18/1986	Moss
4,583,968	04/22/1986	Mahurkar
4,594,074	06/10/1986	Andersen et al.
4,613,323	09/23/1986	Norton et al.
4,623,327	11/18/1986	Mahurkar
4,642,092	02/10/1987	Moss
4,666,433	05/19/1987	Parks
4,668,225	05/26/1987	Russo et al.
4,671,796	06/09/1987	Groshong et al.
4,685,901	08/11/1987	Parks
4,692,141	09/08/1987	Mahurkar
4,701,166	10/20/1987	Groshong et al.

<b>DOCUMENT NUMBER</b> <small>Number-Kind Code (if known)</small>	<b>DATE</b>	<b>NAME</b>
4,769,014	09/06/1988	Russo
4,770,652	09/13/1988	Mahurkar
4,795,430	01/03/1989	Quinn et al.
4,808,155	02/28/1989	Mahurkar
4,834,712	05/30/1989	Quinn et al.
4,842,582	06/27/1989	Mahurkar
4,900,306	02/13/1990	Quinn et al.
4,981,471	01/01/1991	Quinn et al.
5,084,014 A	01/28/1992	Picha et al.
5,160,342 A	11/03/1992	Reger et al.
5,178,625 A	01/12/1993	Groshong
5,197,951 A	03/30/1993	Mahurkar
5,221,255 A	06/22/1993	Mahurkar et al.
5,221,256 A	06/22/1993	Mahurkar
5,242,389 A	09/07/1993	Schrader et al.
5,269,770 A	12/14/1993	Conway et al.
5,374,245 A	12/20/1994	Mahurkar
5,378,230 A	01/03/1995	Mahurkar
5,451,216 A	09/19/1995	Quinn
5,486,159 A	01/23/1996	Mahurkar
5,498,249 A	03/12/1996	Quinn
5,520,662 A	05/28/1996	Moss
5,571,093 A	11/05/1996	Cruz et al.
5,599,322 A	02/04/1997	Quinn
5,776,111 A	07/07/1998	Tesio
5,807,339 A	09/15/1998	Boström et al.
5,810,787 A	09/22/1998	Quinn
5,902,285 A	05/11/1999	Kudsk et al.
6,511,474 B1	01/28/2003	Andersen

### FOREIGN PATENT DOCUMENTS

<b>DOCUMENT NUMBER</b> <small>Number-Kind Code (if known)</small>	<b>DATE</b>	<b>COUNTRY</b>
DE 43 20 186 C2	12/22/1994	Germany

### OTHER ART – NON PATENT LITERATURE DOCUMENTS

(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.

Moss, Gerald, PhD, MD, FACS, "Incomparable Moss® Tubes.... (but compare with other feeding-decompression tubes anyway.)", pp. 1-2.

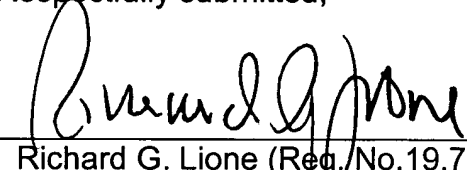
Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

MAR. 31, 2006  
Date

  
\_\_\_\_\_  
Richard G. Lione (Reg. No. 19,795)

FORM PTO-1449	SERIAL NO. 10/529,646	CASE NO. 5935/117
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE March 31, 2005	GROUP ART UNIT Not Assigned
(use several sheets if necessary)		APPLICANT(S): David G. Quinn

**REFERENCE DESIGNATION**
**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	1,879,249	09/27/1932	Honsaker		
	A2	2,116,083	05/03/1938	Rüsch		
	A3	3,384,089	05/21/1968	Shriner		
	A4	3,547,126	12/15/1970	Birtwell		
	A5	3,812,860	05/28/1974	Gilbert et al.		
	A6	4,356,824	11/02/1982	Vazquez		
	A7	4,419,094	12/06/1983	Patel		
	A8	4,431,426	02/14/1984	Groshong et al.		
	A9	4,490,143	12/25/1984	Quinn et al.		
	A10	4,496,347	01/29/1985	MacLean et al.		
	A11	4,529,399	07/16/1985	Groshong et al.		
	A12	4,543,089	09/24/1985	Moss		
	A13	4,549,879	10/29/1985	Groshong et al.		
	A14	4,559,046	12/17/1985	Groshong et al.		
	A15	4,568,329	02/04/1986	Mahurkar		
	A16	4,576,603	03/18/1986	Moss		
	A17	4,583,968	04/22/1986	Mahurkar		
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	A21	4,642,092	02/10/1987	Moss		
	A22	4,666,433	05/19/1987	Parks		
	A23	4,668,225	05/26/1987	Russo et al.		
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	A26	4,692,141	09/08/1987	Mahurkar		
	A27	4,701,166	10/20/1987	Groshong et al.		
	A28	4,769,014	09/06/1988	Russo		
	A29	4,770,652	09/13/1988	Mahurkar		
	A30	4,795,430	01/03/1989	Quinn et al.		
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	A32	4,834,712	05/30/1989	Quinn et al.		
	A33	4,842,582	06/27/1989	Mahurkar		
	A34	4,900,306	02/13/1990	Quinn et al.		
	A35	4,981,471	01/01/1991	Quinn et al.		
	A36	5,084,014 A	01/28/1992	Picha et al.		
	A37	5,160,342 A	11/03/1992	Reger et al.		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	SERIAL NO. 10/529,646	CASE NO. 5935/117
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE March 31, 2005	GROUP ART UNIT Not Assigned
(use several sheets if necessary)	APPLICANT(S): David G. Quinn	

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

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	A38	5,178,625 A	01/12/1993	Groshong		
	A39	5,197,951 A	03/30/1993	Mahurkar		
	A40	5,221,255 A	06/22/1993	Mahurkar et al.		
	A41	5,221,256 A	06/22/1993	Mahurkar		
	A42	5,242,389 A	09/07/1993	Schrader et al.		
	A43	5,269,770 A	12/14/1993	Conway et al.		
	A44	5,374,245 A	12/20/1994	Mahurkar		
	A45	5,378,230 A	01/03/1995	Mahurkar		
	A46	5,451,216 A	09/19/1995	Quinn		
	A47	5,486,159 A	01/23/1996	Mahurkar		
	A48	5,498,249 A	03/12/1996	Quinn		
	A49	5,520,662 A	05/28/1996	Moss		
	A50	5,571,093 A	11/05/1996	Cruz et al.		
	A51	5,599,322 A	02/04/1997	Quinn		
	A52	5,776,111 A	07/07/1998	Tesio		
	A53	5,807,339 A	09/15/1998	Boström et al.		
	A54	5,810,787 A	09/22/1998	Quinn		
	A55	5,902,285 A	05/11/1999	Kudsk et al.		
	A56	6,511,474 B1	01/28/2003	Andersen		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A57	DE 43 20 186 C2	12/22/1994	Germany		Abstract

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.					
	A58	Moss, Gerald, PhD, MD, FACS, "Incomparable Moss® Tubes.... (but compare with other feeding-decompression tubes anyway.)", pp. 1-2.				

EXAMINER	DATE CONSIDERED
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